IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Crl.Rev.Pet.No. 2399 of 2004-D

CRA.628/2002 of SESSIONS COURT, KOZHIKOE
ST.1529/2000 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOZHIKODE

REVN. PETITIONER: ACCUSED/APPELLANT:

NARAYANAN, S/O. CHANDUKUTTY,
PARAYIL HOUSE, ELAKKAD, CALICUT-673 005.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS: COMPLAINANT & STATE:

1. JAYANANDAN T.P., S/O. DHARMAN KUTTY,
PRATHIBA P.O., WEST HILL,
KOZHIKODE-673 005.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.K.RAKESH ROSHAN
R2 BY PUBLIC PROSECUTOR MR. BREEZE M.S.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.A.NO. 11176/2004 IN CRRP.2399/2004-D

DISMISSED.

13-3-2007 SD/-K.R.UDAYABHANU, JUDGE

TRUE COPY

P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.2399 OF 2004

DATED THIS THE 13TH DAY OF MARCH 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced to udnergo simple imprisonment for three months. Counsel for the revision petitioner has only sought for modification of the sentence.

In the circumstances, the conviction is confirmed and the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.70,000/- to the complainant under Section 357(3) Cr.P.C. and in default to undergo simple imprisonment for three months. The revision petitioner is granted three months time to pay the amount. He shall appear before the Judicial First Class Magistrate-I, Kozhikode on 20-6-2007 to receive sentence. The revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks.